

10-26-05

IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Capodieci and Edelson  
SERIAL NUMBER: 10/624,233 EXAMINER: Bradley L. Sisson  
FILING DATE: July 21, 2003 ART UNIT: 1634  
FOR: METHODS AND COMPOSITIONS FOR THE PREPARATION AND USE OF FIXED-TREATED CELL-LINES AND TISSUE IN FLUORESCENCE IN SITU HYBRIDIZATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Cited References A1 and C1; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 24817-503. Please address all correspondence to customer number 35437. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Eric Sinn, Reg. No. 40,177  
Attorney for Applicant  
c/o MINTZ, LEVIN, COHN, FERRIS  
GLOVSKY & POPEO P.C.  
Chrysler Center  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, New York 10017  
Phone: (212) 935-3000  
Fax: (212) 983-3115

Dated: October 24, 2005



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Capodieci and Edelson  
SERIAL NUMBER: 10/624,233 EXAMINER: Bradley L. Sisson  
FILING DATE: July 21, 2003 ART UNIT: 1634  
FOR: METHODS AND COMPOSITIONS FOR THE PREPARATION AND USE OF FIXED-  
TREATED CELL-LINES AND TISSUE IN FLUORESCENCE IN SITU HYBRIDIZATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith.

This Information Disclosure Statement is being filed less than three months after the mailing date of the International Search Report corresponding to the above-identified application. Accordingly, no fee or certification is believed to be required at this time.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by

35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 24817-503.

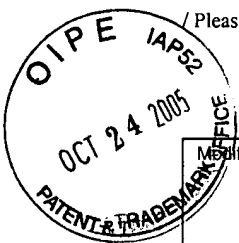
Respectfully submitted,



Eric Sinn, Reg. No. 40,177  
Attorney for Applicant  
c/o MINTZ, LEVIN, COHN, FERRIS  
GLOVSKY & POPEO P.C.  
Chrysler Center  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, New York 10017  
Phone: (212) 935-3000  
Fax: (212) 983-3115

Dated: October 24, 2005

NYC 341166v1



/ Please type a plus sign (+) in this box ☐

PTO/SB (12-97)  
OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	10/624,233
	Filing Date	07/21/03
	First Named Inventor	Capodieci
	Group Art Unit	1634
	Examiner Name	Sisson, Bradley L.
	Attorney Docket Number	24817-503

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	6,580,056	06/17/03	Tacha			09/21/01

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	International Search Report corresponding to PCT/US04/23207 mailed September 19, 2005.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.